

Mississippi River Corridor Critical Area Rulemaking Update 3-29-16

The Minnesota Department of Natural Resources (DNR) is embarking on the next phase of rulemaking for the Mississippi Corridor Critical Area (MRCCA). During this phase, an Administrative Law Judge will review the proposed rules and take public input through a formal comment and public hearing process. This phase will begin in early April when the DNR publishes a Notice of Hearing to adopt rules for the MRCCA. This notice kicks off an approximately three-month comment period on the proposed rules, including three public hearings in mid-June.

The proposed rules will replace a 37-year old Executive Order that currently regulates development in the MRCCA. Designated by Governor's Executive Order in the 1970s, the MRCCA is a 72-mile land corridor along the Mississippi River in the Twin Cities Metropolitan Area. The MRCCA is governed by special land development regulations that protect and preserve the unique natural, recreational, transportation, and cultural features of this section of the Mississippi River. The corridor comprises 54,000 acres of land in 30 jurisdictions (including Coon Rapids). These regulations are implemented through local plans and zoning ordinances, and include structure setbacks from the river and bluffs and requirements for structure height, the design of public and private facilities, vegetation management, land alteration, and subdivisions.

Over time, the Executive Order has become outdated and difficult for state and local governments to administer. In 2009, the legislature directed the DNR to replace the Executive Order with rules establishing new districts and updated land development standards that sustain key natural, scenic, cultural and economic resources and features. The 2013 Legislature directed the DNR to resume rulemaking after its rulemaking authority lapsed in 2011.

City staff and other city officials have been involved in rule development over the past five years and have provided feedback to the DNR in the development of rule drafts.

You can find the proposed rules, the Statement of Need and Reasonableness (SONAR) and other information about the proposed rules at the DNR website:
<http://www.dnr.state.mn.us/input/rules/mrcca/index.html>.

The SONAR explains the need and justification for the proposed rules, and is a useful companion document to review along with the proposed rules. Anyone with an interest in this process is encouraged to visit the DNR website to learn more and sign up for e-mail updates.

Once the new rules are adopted (projected for late 2016), they will not take effect immediately. The DNR will work with the Metropolitan Council and communities in the MRCCA to develop a notification schedule for communities to begin the process of amending their MRCCA plans and ordinances to be consistent with the new rules. Notification will be phased over a multi-year period. It is not clear when the DNR will notify communities to start this process, but once it starts, it will take about one year to update local plans and ordinances.

Interested parties may submit written comments on the proposed rules throughout the comment period and/or provide oral comments at one of the following three public hearings:

Tuesday, June 14, 2016, 4:30 p.m.

Schaar's Bluff Gathering Center

8395 127th Street East, Hastings, Minnesota 55033

Wednesday, June 15, 2016, 4:30 p.m.

Greenhaven Golf Course Event Center

2800 Greenhaven Road, Anoka, Minnesota 55303

Thursday, June 16, 2016, 10:00 a.m.

Mississippi Watershed Management Organization

2522 Marshall Street NE, Minneapolis, Minnesota 55418